



GARY R. HERBERT
Governor

GREGORY S. BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

Outgoing
C0070045

#4250

OK

February 20, 2013

Thomas C. Schmaltz, PhD.
Covol Engineered Fuels, LC
10653 S. River Front Parkway
Suite 300
South Jordan, UT 84095

Subject: Response to DO-12B, Headwaters Energy Services Corporation, Covol Engineered Fuels, C0070045 (Task ID #4250)

Dear Mr. Schmaltz:

The Division has reviewed your response to Division Order DO-12B for the Covol-Wellington Dry-coal Cleaning Facility. The Division has identified deficiencies that must be addressed before final approval can be granted. The deficiencies are listed as an attachment to this letter.

The initials of the deficiencies authors are provided so that your staff can communicate directly with that individual should questions arise. The plans as submitted are denied. Please resubmit the entire application no later than March 27, 2013.

If you have any questions, please call me (801) 538-5325 or Steve Christensen (801) 538-5350.

Sincerely,

Daron R. Haddock
Coal Program Manager

DRH/SKC/ss
cc: Price Field Office
O:\007045.COV\WG4250\WG4250DefLtr.docm



Deficiency List

Task No. 4250

Response to DO-12B

Members of the review team with outstanding deficiencies:
Steve Christensen (SC)

R645-301-741, -742: The Permittee must provide the following additional information/clarification in the amendment prior to final approval:

- 1) Provide typical cross-sections for both the berm and the fiber rolls as depicted on Plate 7-2. The cross-sections are necessary in order for Division Inspectors to evaluate whether they were installed correctly as well as determine if they are being adequately maintained over time.
- 2) Revise page 7-24 of the amendment with additional discussion/narrative as to the utilization of the berms within ASCA-1.
- 3) Revise the calculations in Appendix 7-9 for ASCA 2 with an "*area of elevation*" value of 5,508'. The submitted calculations call out an elevation of 5,908'.